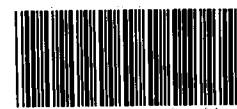


UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION III
1650 Arch Street
Philadelphia, PA 19103

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SDMS DocID

2240041

12 July 2000

Mr. Paul Welsh
Delaware Department of Transportation
P.O. Box 778
Dover, DE 19903

re: 12th Street Landfill/Dump Site
Wilmington, Delaware

Dear Mr. Welsh:

The United States Environmental Protection Agency (EPA) is conducting a Removal Action at the 12th Street Landfill/Dump Site located along the Brandywine Creek in Wilmington, Delaware. The Removal Action intends to stabilize ongoing releases of contamination into the Brandywine Creek and is conducted under the authorities of the Comprehensive Environmental Response, Compensation and Liability Act. EPA is coordinating this effort with the Delaware Department of Transportation since the Department is the owner of property through which EPA has required access in order to complete its Removal Action.

EPA initially identified waste materials disposed on Tax parcel 26-045.00-19 (Parcel 19), owned or controlled by organizations within the City of Wilmington government, as contributing to the release of hazardous substances to the environment. These waste materials consisted primarily of industrial hoses, drum remains, and lead-contaminated soils. These materials were disposed onto Parcel 19 (Wilmington Parcel) as determined by field observation and sampling. EPA's Removal Action will stem the release of hazardous substances by grading the disposal area at the Site in such a way as to minimize ongoing erosion of the Creek bank (comprised of waste) and then by covering the waste materials throughout the Site or area of disposal.

The Delaware Department of Transportation (DELDOT) owns or controls Tax Parcel 26-045.00-014 (Parcel 14) located adjacent to Parcel 19. EPA and DELDOT have signed an agreement under which the EPA is accessing Parcel 14 in order to conduct the Removal Action. EPA utilizes Parcel 14 to access the contamination on Parcel 19 and for staging equipment, materials, and command facilities related to the Removal Action.

Information available to the EPA prior to this date, indicated that the area of disposal was located on Parcel 19 and that DELDOT's Parcel 14 was not obviously affected. Thus, all effort to date has been conducted in a manner that would minimize the construction of any permanent feature on Parcel 14, beyond potential grading efforts to control drainage. The existing action intends to consolidate all waste materials removed from the Creek bank onto

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Parcel 19. The cover to be placed over these materials would similarly be primarily located on Parcel 19. However, changing Site conditions will require modification to this current scenario as indicated herein.

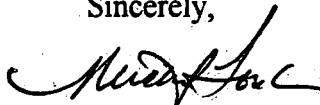
After removing vegetative cover from Parcel 14, DELDOT's Parcel, and initiating the construction of a Staging Area and associated berm to ensure proper Site drainage, the EPA identified waste materials at the ground surface in areas of Parcel 14. Test pits were dug in an effort to determine if the area would remain suitable for Staging throughout the Removal Action, or if it would otherwise become a component of the Removal Action. EPA identified waste materials disposed throughout a portion of Parcel 14. The materials appear similar to those disposed on Parcel 19.

The disposition of waste materials on Parcel 14 will not inhibit the utilization of the property by EPA as a Staging Area during the Removal Action. The extent of the disposal area on Parcel 14 will need to be established, however, as the soil cover to be emplaced at the Site to minimize the potential migration of hazardous substances into the surrounding environment will need to be emplaced over a portion of Parcel 14.

In order to facilitate the placement of a cover material over the identified area of waste disposal, the EPA will require that the existing access agreement between EPA and DELDOT be amended to include activities related to investigation of the extent and nature of the disposal area and the placement of a suitable cover (or cap) over the disposal area. This activity is the same as that established for the adjacent Parcel 19. EPA will also require that the business presently storing assets on the State-owned property remove those items to enable a more thorough characterization of the property and the construction of a cover over the area of waste disposal. The fence that now exists on the State's property will need to be relocated to the property line. It is my understanding that this activity should be accomplished by the tenant now operating on Parcel 14.

Your immediate consideration and attention to the above will be greatly appreciated. I may be reached at the Site location at (302) 573-5120 or at (215) 814-3272 if there are any questions or if you need additional information.

Sincerely,



Michael Towle,
On-Scene Coordinator

encl.

cc: A. Goldman